

CLOSED,CASREF,MEDIATION,PROTECTIVE ORDER

U.S. District Court
Northern District of Alabama (Southern)
CIVIL DOCKET FOR CASE #: 2:16-cv-00652-KOB

Navigate Affordable Housing Partners Inc v. United States
Department of Housing and Urban Development
Assigned to: Chief Judge Karon O Bowdre
Referred to: Magistrate Judge T Michael Putnam (Settlement)
Cause: 05:552 Freedom of Information Act

Date Filed: 04/22/2016
Date Terminated: 03/29/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Navigate Affordable Housing Partners
Inc**

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V.

Defendant

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Date Filed	#	Docket Text
04/22/2016	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against United States Department of Housing and Urban Development, filed by Navigate Affordable Housing Partners Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(SAC) (Entered: 04/22/2016)
04/22/2016		Filing Fee: Filing fee \$ 400, ALND receipt#: B4601070705/ receipt_number 1126-2609309. related document <u>1</u> COMPLAINT for Declaratory and Injunctive Relief against United States Department of Housing and Urban Development, filed by Navigate Affordable Housing Partners Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(SAC). (Rutherford, Russell) Modified on 4/25/2016 (SAC,). (Entered: 04/22/2016)
04/22/2016	<u>2</u>	Corporate Disclosure Statement by Navigate Affordable Housing Partners Inc. filed by Navigate Affordable Housing Partners Inc (Rutherford, Russell) (Entered: 04/22/2016)
04/22/2016	<u>3</u>	Request for service by certified mail filed by Navigate Affordable Housing Partners Inc. (Rutherford, Russell) (Entered: 04/22/2016)
04/25/2016	<u>4</u>	Summons Issued as to Navigate Affordable Housing Partners Inc, U.S. Attorney and U.S. Attorney General; given to Pla. at intake window. (SAC) (Entered: 04/25/2016)
05/12/2016	<u>5</u>	SUMMONS Returned Executed by Navigate Affordable Housing Partners Inc. All Defendants. (Attachments: # <u>1</u> Appendix, # <u>2</u> Appendix)(Rutherford, Russell) (Entered: 05/12/2016)
05/18/2016	<u>6</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, (<i>Unopposed</i>) by United States Department of Housing and Urban Development. (Long, Don) (Entered: 05/18/2016)
05/18/2016	<u>7</u>	ORDER granting <u>6</u> Unopposed Motion for Extension of Time to File a Responsive Pleading. The Defendant United States Department of Housing and Urban Development's responsive pleading is now due on or before 6/27/2016. Signed by Chief Judge Karon O Bowdre on 5/18/16. (MMW) (Entered: 05/18/2016)
06/24/2016	<u>8</u>	ANSWER to <u>1</u> Complaint, by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Long, Don) (Entered: 06/24/2016)
06/29/2016	<u>9</u>	INITIAL ORDER Governing All Further Proceedings – with appendices attached. **The report also should contain a synopsis of the case advising the court of the general claims and defenses of the parties. Signed by Chief Judge Karon O Bowdre on 6/29/2016. (FNC) (Entered: 06/29/2016)
07/11/2016	<u>10</u>	REPORT of Rule 26(f) Planning Meeting. (Long, Don) (Entered: 07/11/2016)
07/13/2016	<u>11</u>	ORDER Setting Scheduling Conference for Thursday, July 28, 2016 at 02:30 PM, eighth floor chambers, Hugo L Black US Courthouse, Birmingham, AL before Chief Judge Karon O Bowdre. Signed by Chief Judge Karon O Bowdre on 7/13/2016. (FNC) (Entered: 07/13/2016)
07/19/2016	<u>12</u>	MOTION to Permit Discovery by Navigate Affordable Housing Partners Inc. (Rutherford, Russell) (Entered: 07/19/2016)

07/20/2016	<u>13</u>	TEXT ORDER: The Defendant has advised the court that it would like to respond to the Motion to Permit Discovery (doc. 12). The court SETS July 26, 2016 as the deadline to respond. Signed by Chief Judge Karon O Bowdre on 7-20-16. (AMW,) (Entered: 07/20/2016)
07/26/2016	<u>14</u>	Opposition to <u>12</u> Motion to Permit Discovery filed by United States Department of Housing and Urban Development. (Long, Don) (Entered: 07/26/2016)
07/28/2016		Minute Entry for proceedings held before Chief Judge Karon O Bowdre: Scheduling Conference held on 7/28/2016. (FNC) (Entered: 07/28/2016)
07/29/2016	<u>15</u>	ORDER –re: Motion to Permit Discovery <u>12</u> . The court DENIES the motion without prejudice to revisiting it at a later stage. Signed by Chief Judge Karon O Bowdre on 7/29/2016. (AVC) (Entered: 07/29/2016)
07/29/2016	<u>16</u>	SCHEDULING ORDER–Counsel shall file a Joint Status Report by 9/1/2016, updating the court on further production of records in response to the FOIA requests to HUD and any other relevant matters. The deadline for dft to file its motion for summary judgment is 9/30/2016. The deadline for pltf to file its response to the motion is 10/21/2016. After the ruling on the motion for summary judgment, the court will set a new scheduling/status conference to discuss further proceedings and deadlines.Signed by Chief Judge Karon O Bowdre on 7/29/2016. (AVC) (Entered: 07/29/2016)
09/01/2016	<u>17</u>	STATUS REPORT <i>Joint Status Report</i> by United States Department of Housing and Urban Development. filed by United States Department of Housing and Urban Development (Long, Don) (Entered: 09/01/2016)
09/21/2016	<u>18</u>	MOTION for Extension of Time (<i>Opposed</i>) by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Exhibit 1)(Long, Don) (Entered: 09/21/2016)
09/23/2016	<u>19</u>	RESPONSE in Opposition re <u>18</u> MOTION for Extension of Time (<i>Opposed</i>) filed by Navigate Affordable Housing Partners Inc. (Attachments: # <u>1</u> Exhibit HUD Annual FOIA Report)(Rutherford, Russell) (Entered: 09/23/2016)
09/26/2016	<u>20</u>	ORDER Setting Motion Hearing re: <u>18</u> for Monday, October 3, 2016 at 01:30 PM, CR 8, Hugo L Black US Courthouse, Birmingham, AL before Chief Judge Karon O Bowdre. Signed by Chief Judge Karon O Bowdre on 9/26/2016. (FNC) (Entered: 09/26/2016)
09/30/2016	<u>21</u>	NOTICE of Appearance by Lane H Woodke on behalf of United States Department of Housing and Urban Development (Woodke, Lane) (Entered: 09/30/2016)
10/03/2016		Minute Entry for proceedings held before Chief Judge Karon O Bowdre: Motion Hearing held on 10/3/2016 re <u>18</u> MOTION for Extension of Time (<i>Opposed</i>) filed by United States Department of Housing and Urban Development. Parties are to submit joint report on how to resolve this document production issue by October 12. Court adj. (Court Reporter Teresa Roberson.) (FNC) (Entered: 10/03/2016)
10/13/2016	<u>22</u>	ORDER re <u>18</u> MOTION for Extension of Time– The court SUSPENDS the deadlines in its Scheduling Order regarding submission of the motion for summary judgment and response. Despite that suspension, the court DEFERS ruling on HUD's motion for extension of time to file its motion for summary judgment, noting that the request of a four-month extension until January 31, 2017 is a lengthy one and the court has not yet received information justifying such a long delay. The court ORDERS counsel to submit another Joint Status Report to the court on or before Thursday, November 3, 2016. Signed by Chief Judge Karon O Bowdre on 10/13/16. (SAC) (Entered: 10/13/2016)
10/27/2016	<u>23</u>	Joint MOTION for Protective Order by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Text of Proposed Order 502(d) Protective Order)(Long, Don) (Entered: 10/27/2016)
10/28/2016	<u>24</u>	PROTECTIVE ORDER. Signed by Chief Judge Karon O Bowdre on 10/28/2016. (FNC) (Entered: 10/28/2016)

11/18/2016	<u>25</u>	Joint MOTION for Entry of a Revised Scheduling Order by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Text of Proposed Order)(Long, Don) (Entered: 11/18/2016)
11/18/2016	<u>26</u>	ORDER re <u>25</u> Motion for Entry of a Revised Scheduling Order- The court GRANTS the motion and sets the deadlines as outlined within. Signed by Chief Judge Karon O Bowdre on 11/18/16. (SAC) (Entered: 11/18/2016)
11/21/2016	<u>27</u>	ORDER finding as moot <u>18</u> Motion for Extension of Time, in light of the Order entering a revised scheduling order (doc. 26) based on the parties' joint motion (doc. 25). Signed by Chief Judge Karon O Bowdre on 11-21-16. (AMW,) (Entered: 11/21/2016)
07/13/2017	<u>28</u>	Joint MOTION to Amend/Correct <i>Scheduling Order</i> by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Text of Proposed Order)(Long, Don) (Entered: 07/13/2017)
07/14/2017	<u>29</u>	SCHEDULING ORDER. The court GRANTS <u>28</u> and amends the scheduling order as follows: Dispositive motions due 1/15/2018 with responses due 2/6/2018, as further set out herein. Signed by Chief Judge Karon O Bowdre on 7/14/2017. (FNC) (Entered: 07/14/2017)
11/22/2017	<u>30</u>	Joint MOTION to Amend/Correct <i>Scheduling Order</i> by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Text of Proposed Order)(Long, Don) (Entered: 11/22/2017)
11/28/2017	<u>31</u>	TEXT ORDER. The court sets a Status Conference re: <u>30</u> for Monday, December 4, 2017 at 03:00 PM, eighth floor chambers, Hugo L Black US Courthouse, Birmingham, AL before Chief Judge Karon O Bowdre. Signed by Chief Judge Karon O Bowdre on 11/28/2017. (FNC) (Entered: 11/28/2017)
12/04/2017		Minute Entry for proceedings held before Chief Judge Karon O Bowdre: Status Conference held on 12/4/2017. (FNC) (Entered: 12/05/2017)
12/05/2017	<u>32</u>	TEXT ORDER. The court GRANTS in part <u>30</u> . Dispositive motions are now due by March 15, 2018. A joint status report is due every 30 days, beginning with January 4, 2018. The parties are reminded that summary judgment motions must follow comply with this court's requirements for potentially dispositive motions and accompanying briefs as stated in "Appendix II," available on the court's website at www.alnd.uscourts.gov under the court information for Chief Judge Bowdre. Signed by Chief Judge Karon O Bowdre on 12/5/2017. (FNC) (Entered: 12/05/2017)
12/21/2017	<u>33</u>	NOTICE of Appearance by Jenny L Smith on behalf of United States Department of Housing and Urban Development (Smith, Jenny) (Entered: 12/21/2017)
12/21/2017	<u>34</u>	MOTION for Protective Order (<i>Opposed</i>) by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order Exhibit B)(Long, Don) (Entered: 12/21/2017)
12/28/2017	<u>35</u>	RESPONSE to Motion re <u>34</u> MOTION for Protective Order (<i>Opposed</i>) filed by Navigate Affordable Housing Partners Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Rutherford, Russell) (Entered: 12/28/2017)
01/04/2018	<u>36</u>	STATUS REPORT for the Parties by United States Department of Housing and Urban Development. filed by United States Department of Housing and Urban Development (Long, Don) (Entered: 01/04/2018)
01/04/2018	<u>37</u>	REPLY to Response to Motion re <u>34</u> MOTION for Protective Order (<i>Opposed</i>) filed by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order Exhibit B)(Long, Don) (Entered: 01/04/2018)
01/04/2018	<u>38</u>	MOTION to Compel <i>Production of Additional Records</i> by Navigate Affordable Housing Partners Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> B)(Rutherford, Russell) (Entered: 01/04/2018)
01/05/2018	<u>39</u>	NOTICE of Appearance by Anna R Davis on behalf of Navigate Affordable Housing Partners Inc (Davis, Anna) (Entered: 01/05/2018)

01/08/2018	<u>40</u>	PROTECTIVE ORDER– re <u>34</u> Motion for Entry of Privacy Act Protective Order is GRANTED as setout within. Signed by Chief Judge Karon O Bowdre on 1/8/18. (SAC) (Entered: 01/08/2018)
01/10/2018	<u>41</u>	MOTION for Extension of Time to File Response/Reply as to <u>38</u> MOTION to Compel <i>Production of Additional Records</i> by United States Department of Housing and Urban Development. (Smith, Jenny) (Entered: 01/10/2018)
01/10/2018	<u>42</u>	RESPONSE to Motion re <u>41</u> MOTION for Extension of Time to File Response/Reply as to <u>38</u> MOTION to Compel <i>Production of Additional Records</i> filed by Navigate Affordable Housing Partners Inc. (Rutherford, Russell) (Entered: 01/10/2018)
01/11/2018	<u>43</u>	TEXT ORDER: Defendant's "Request For Additional Time To Respond" (doc. 41) to Plaintiff's motion to compel (doc. 38) is GRANTED. Defendant's response is due on or before January 18, 2018. Signed by Chief Judge Karon O Bowdre on 1/11/2018. (JWD) (Entered: 01/11/2018)
01/18/2018	<u>44</u>	RESPONSE in Opposition re <u>38</u> MOTION to Compel <i>Production of Additional Records</i> filed by United States Department of Housing and Urban Development. (Long, Don) (Entered: 01/18/2018)
01/19/2018	<u>45</u>	TEXT ORDER: Plaintiff shall file a reply to Defendant's "Opposition to Plaintiff's Motion to Compel Production of Additional Records" (doc. 44) on or before January 26, 2018. Signed by Chief Judge Karon O Bowdre on 1/19/18. (JWD) (Entered: 01/19/2018)
01/25/2018	<u>46</u>	MOTION for Leave to File Under Seal by Navigate Affordable Housing Partners Inc. (Rutherford, Russell) Modified on 1/25/2018 (SAC). (Entered: 01/25/2018)
01/26/2018	<u>47</u>	REPLY to Response to Motion re <u>38</u> MOTION to Compel <i>Production of Additional Records</i> filed by Navigate Affordable Housing Partners Inc. (Rutherford, Russell) (Entered: 01/26/2018)
01/29/2018	<u>48</u>	TEXT ORDER: Plaintiff's "Motion For Leave to File Documents Under Seal" (doc. 46) is GRANTED. Signed by Chief Judge Karon O Bowdre on 1/29/2018. (JWD) (Entered: 01/29/2018)
02/02/2018	<u>49</u>	STATUS REPORT by United States Department of Housing and Urban Development. filed by United States Department of Housing and Urban Development (Smith, Jenny) (Entered: 02/02/2018)
02/20/2018	<u>50</u>	ORDER re <u>38</u> Motion to Compel Production of Additional Records– For the reasons as outlined within, the court DENIES the motion. Signed by Chief Judge Karon O Bowdre on 2/20/18. (SAC) (Entered: 02/20/2018)
03/02/2018	<u>51</u>	Joint MOTION Requesting a Referral to Mediation and an Extension of Dispositive Motions Deadline until April 5, 2018 by United States Department of Housing and Urban Development. (Attachments: # <u>1</u> Text of Proposed Order)(Long, Don) (Entered: 03/02/2018)
03/02/2018	<u>52</u>	STATUS REPORT (<i>Joint</i>) by United States Department of Housing and Urban Development. filed by United States Department of Housing and Urban Development (Long, Don) (Entered: 03/02/2018)
03/06/2018	<u>53</u>	MEDIATION ORDER The court ORDERS that this case be referred to mediation. The Clerk's Office is DIRECTED to randomly select a magistrate judge to mediate this case. Case referred to Magistrate Judge T. Michael Putnam for mediation. The court SUSPENDS the deadlines currently set out in the court's Scheduling Order and any amendment(s), including the March 15, 2018, dispositive motion deadline. Signed by Chief Judge Karon O Bowdre on 3/6/18. (SAC) (Entered: 03/06/2018)
03/06/2018		Motions terminated per <u>53</u> Mediation Order: <u>51</u> Joint MOTION Requesting a Referral to Mediation and an Extension of Dispositive Motions Deadline until April 5, 2018 ; deadlines terminated. (SAC) (Entered: 03/06/2018)
03/06/2018	<u>54</u>	TEXT ORDER re <u>53</u> Order Referring Case to Magistrate Judge. The parties are DIRECTED to contact the chambers of the undersigned within 10 days and to propose to the court three potential dates on which the parties have mutually agreed to attend a mediation of this matter. Once a mediation date is set, the parties will be given further

		instructions. Signed by Magistrate Judge T Michael Putnam on 3/6/2018. (PMA) (Entered: 03/06/2018)
03/08/2018	55	TEXT ORDER Setting Settlement Conference for 9:30 a.m. on Thursday, April 12, in chambers of the undersigned. Counsel for each party shall attend, along with a representative for the party. That representative shall have full settlement authority. A mediation statement may be submitted to chambers no later than 5:00 p.m. on Friday, April 6, 2018. The statement shall be marked "Confidential." Signed by Magistrate Judge T Michael Putnam on 3/8/2018. (PMA) (Entered: 03/08/2018)
03/08/2018		Set Hearing per 55/Text Order: Settlement Conference set for 4/12/2018 at 9:30 AM in Hugo L Black US Courthouse, Birmingham, AL before Magistrate Judge T Michael Putnam. (SAC) (Entered: 03/08/2018)
04/10/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Settlement Conference held in chambers on 4/10/2018; counsel present, preliminary discussions. (ASL) (Entered: 04/10/2018)
04/12/2018	56	TEXT ORDER. A Telephone Conference is SET for April 19, 2018, at 1:00 p.m. before Magistrate Judge T Michael Putnam. The parties and their counsel are directed to join the conference by dialing 888-636-3807 and entering access code 3676046. Signed by Magistrate Judge T Michael Putnam on April 12, 2018. (JTS) (Entered: 04/12/2018)
04/12/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Settlement Conference held on 4/12/2018. (ASL) (Entered: 04/12/2018)
04/19/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 4/19/2018. (ASL) (Entered: 04/19/2018)
05/16/2018	57	TEXT ORDER Telephone Conference set for Friday, 5/18/2018 at 11:00 AM before Magistrate Judge T Michael Putnam; parties are directed to dial 888-636-3807 and use access code 3676046 to participate. Signed by Magistrate Judge T Michael Putnam on 5/16/2018. (ASL) (Entered: 05/16/2018)
05/18/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 5/18/2018. (ASL) (Entered: 05/18/2018)
08/08/2018	58	TEXT ORDER Telephone Conference set for Monday, 8/13/2018 at 01:30 PM before Magistrate Judge T Michael Putnam; parties are to call 888-636-3807 and use access code 3676046 to participate. Signed by Magistrate Judge T Michael Putnam on 8/8/2018. (ASL) (Entered: 08/08/2018)
08/13/2018		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 8/13/2018. (ASL) (Entered: 08/13/2018)
02/05/2019	59	TEXT ORDER Telephone Conference set for Friday, 2/15/2019 at 11:00 AM before Magistrate Judge T Michael Putnam; parties are to call 888-636-3807 and use access code 3676046 to participate. Signed by Magistrate Judge T Michael Putnam on 2/5/2019. (ASL) (Entered: 02/05/2019)
02/15/2019		Minute Entry for proceedings held before Magistrate Judge T Michael Putnam: Telephone Conference held on 2/15/2019. (ASL) (Entered: 02/15/2019)
03/21/2019	60	STIPULATION of Dismissal <i>JOINT</i> by Navigate Affordable Housing Partners Inc. filed by Navigate Affordable Housing Partners Inc (Rutherford, Russell) (Entered: 03/21/2019)
03/29/2019	61	ORDER. Upon notification of settlement by the parties, this case is hereby DISMISSED with prejudice, with costs to be borne as agreed by the parties. This court retains jurisdiction to resolve disputes arising under the Agreement, as further set out. In addition, the court's October 28, 2016 Protective Order (Doc. 24) is null and void, and shall no longer have any effect on any person or entity, except to the extent that its terms are incorporated by reference in the Agreement. The parties shall be bound by the terms of the Agreement and, in the event that the parties must ask this court to intervene to resolve any dispute arising under the Agreement, the terms of the Agreement shall govern the procedure by which those proceedings are conducted. Furthermore, this court will endeavor to resolve any such dispute according to the

	terms of the Agreement. Signed by Chief Judge Karon O Bowdre on 3/29/2019. (FNC) (Entered: 03/29/2019)
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